



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Kathleen Clarke
Executive Director

Lowell P. Braxton
Division Director

1594 West North Temple, Suite 1210

PO Box 145801

Salt Lake City, Utah 84114-5801

801-538-5340

801-359-3940 (Fax)

801-538-7223 (TDD)

March 11, 2002

Jack Savage
Oil Tech, Inc.
5615 North 6300 West
Morgan, Utah 84050

Re: Deficient Notice of Intention to Commence Small Mining Activities, Oil Tech Inc., Rawhide Mine, S/047/076, Uintah County, Utah

Dear Mr. Savage:

Thank you for your Notice of Intention (NOI), received by the Division February 28, 2002, concerning your proposed small mining program located in Section 10, Township 9 South, Range 25 East, SLBM, Uintah County, Utah. The notice does not satisfy the requirements of Rule R647-3 of the Utah Mined Land Reclamation Act of 1975, Title 40-8, et seq., Utah Code Annotated.

The following information is still required:

1. Based on the Division's assessment of the Rawhide Mine plan, it appears the site will need to be permitted as a large mine. Although Map 4 only lists 3.76 acres of disturbance, other areas included in the plan will increase the total acreage to over five acres. These areas include the improved power line road, the existing disturbance (area "C" on Map 4), and the disposal areas for the spent shale. This review considers the information you have provided, but additional information will be required as a part of the large mine application.
2. Maps 3 and 4 show both the current and proposed disturbances, but the acreage figures on Map 4 do not include the existing disturbance. Most of this disturbance is in Section 15, but the NOI indicates disturbance would only be in Section 10.
3. The Mine Site Map #4 does not show the substation location although it is included in the list of disturbances.
4. The service and vent shafts shown on Map #4 are not included in the disturbed area acreage calculations.

5. Map #4 does not show surface access to the shafts or to the topsoil stockpile. Please show these roads on the site maps and include the affected acreage in your total mine disturbance.

6. You propose to improve the road along the power lines for a length of 6500 feet. Since this is being done to facilitate mining operations, the expanded and improved portions of the road need to be included as part of the mine plan. Even if the entire road, 30 feet wide by 6500 feet long (4.5 acres), is not included as part of the disturbed area, the additional area affected by the expansion should be. The road is currently about 12 feet wide, so expanding it to 30 feet wide would add about 2.7 acres to the disturbed area. Upon closure of the site, the road will need to be reclaimed back to its original width.

7. The NOI indicates no water would be used, but water is almost certainly required for dust suppression, to cool equipment, and for domestic uses. Please provide information about how you can accomplish these ends without using water or, alternatively, indicate how much water will be used and how it will be used. If there will be any water discharge, you will need to obtain a Utah Pollutant Discharge Elimination System (UPDES) permit from the Division of Water Quality.

8. You propose to use mine development rock, primarily sandstone, as a road surface. Please provide data to show that this rock will meet standards for road surface material. Please indicate the power line road ownership and if they have agreed to your use, expansion, and improvements. Because underground waste sometimes has chemical characteristics that, once exposed to water and air, can result in damage to soil and water resources, please supply information on the chemical characteristics of the mine waste material that will be used for road-building purposes.

9. There are some listed, proposed, and candidate threatened and endangered species that may occur in the area you are proposing to disturb. Please provide information whether they are present in the area. The plant species with potential habitat in the area include clay reed-mustard, Graham beardtongue, shrubby reed-mustard, Uinta Basin hookless cactus, and White River beardtongue. The two reed-mustards in this list grow in the Evacuation Creek member of the Green River Shale formation, so if this stratum is not present in the area, it should not be necessary to look for these species. Mountain plovers have potential habitat in the area, but it is not known whether required habitat components are present. It is suggested that you show photographs of the area to a qualified person from the Division of Wildlife Resources for a preliminary determination whether surveys need to be done.

Page 3
Jack Savage
S/047/076
March 11, 2002

10. The NOI requests a variance, but it is not clear from what requirement you are seeking a variance. It appears you are requesting approval to widen and straighten the road and to make other improvements. No variance is needed to improve the road so long as you follow other requirements, including gaining approval from the owner, reclaiming the road if necessary, etc.

11. The Division requests a chemical characterization for the spent shale before it can consider disposal options. The NOI indicates the shale will be disposed of in nearby abandoned gilsonite trenches. Please provide information about who owns this land and whether they have given approval for this disposal. If these areas are to be used for disposal they will need to be included as a part of this permit. Although filling the trenches could benefit both public safety and the environment, the Division will need to determine whether there will be any adverse effects on ground or surface water or other resources. In addition, it is possible you will need approval from the Division of Water Quality for this disposal.

For your future reference, a set of our minerals rules and a copy of Form MR-LMO are enclosed. Do not hesitate to call me at 801-538-5261 if you have any questions.

The Division will suspend review and await your amended Notice of Intention. In reply, please refer to file number S/047/076. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read 'P B Baker', with a stylized, cursive script.

Paul B. Baker
Senior Reclamation Biologist

jb
Enclosure

cc: John Blake, SITLA
Don Ostler, DWQ
John Kimball, Jr., Wildlife Resources
M047076-pbsmo-def.doc